

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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\* MINUTES FOR THE CAPTIONED:

\* Lucille Orillaneda -V- The French Culinary Institute

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Lucille Orillaneda

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2007 CV 03206 (RJH)

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- VS -

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DATE : 09 / 06 / 07

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The French Culinary Institute

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HON: RICHARD J. HOLWELL

\*

U.S.D.J.

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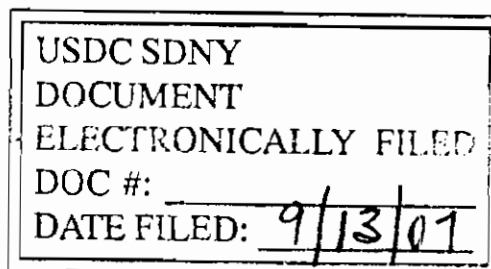
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(1.) FOR THE PLAINTIFF :

Lucille Orillaneda

Elizabeth A. Mason  
Mason & Breiteneker, LLO  
45 Rockefeller Plaza  
New York, NY 10111  
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(1.) FOR THE DEFENDANT :

The French Culinary Institute

Laura E. Evangelista  
Richi E. Roer  
Wilson, Elser, Moskowitz, Edelman & Dicker, L.L.P.  
150 East 42nd Street  
New York, N.Y. 10017  
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### **Scheduling Order Requirements**

1. Description of the Case

a. Attorneys of Record for Each Party

Elizabeth A. Mason, Esq.  
Law Offices of Elizabeth A. Mason, LLP  
45 Rockefeller Plaza, 20th Floor  
New York, New York 10111  
Attorney for Plaintiff

Ricki E. Roer, Esq.  
Laura E. Evangelista, Esq.  
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP  
150 East 42nd Street  
New York, NY 10017  
Attorney for Defendant

b. Basis for Federal Jurisdiction

Subject Matter Jurisdiction: Title VII and Family and Medical  
Leave Act

c. Brief Description of Claims in Complaint

Plaintiff alleges pregnancy discrimination under Federal, State and City law based upon her being terminated the day she returned to work after taking time off to become pregnant through in-vitro fertilization, a medical procedure plaintiff alleges that defendant knew plaintiff was undergoing. Plaintiff also alleges the violation of her rights under the Family Medical Leave Act, based upon defendant's termination of her employment because of her taking time off to undergo in vitro fertilization.

d. The Major Legal and Factual Issues in the Case

Whether plaintiff was discriminated against and wrongfully terminated due to her intent to become and/or her pregnancy; and whether plaintiff suffered emotional distress, loss of income or loss of benefits as a result of the termination of plaintiff's employment.

e. Describe the Relief Sought

Plaintiff is seeking monetary damages in the form of back pay, front pay, interest, loss of benefits, compensatory damages including emotional distress and humiliation, attorneys' fees, costs and expenses associated with the filing of this lawsuit, and such other damages arising out of the defendant's conduct.

## 2. Proposed Case Management Plan

- a. There are no pending motions.
- b. Cutoff date for Joinder: October 2007. *10/01/07*
- c. Cutoff date for amendment to pleadings: November 2007. *10/01/07*
- d. Proposed Schedule for Completion of Discovery
  - i. Date for Rule 26(a)(1) disclosures: *Sept. 20* ~~August 31~~, 2007.
  - ii. Fact discovery completion date: ~~December~~ 31, 2007.
  - iii. Rule 26(a)(2) disclosures: *January*
    1. Plaintiff: December 31, 2007.
    2. Defendant: January 15, 2007.
  - iv. Expert Discovery Completion Date: February 28, 2007
  - v. Delivery of Expert Reports:
    1. Plaintiff: January 31, 2008.
    2. Defendant: February 28, 2008.
- e. Proposed date for Filing Dispositive Motions: *April 30* ~~March 31~~, 2008
- f. Proposed date for filing final Pretrial Order: To be determined ~~pending a decision on defendant's anticipated dispositive motion.~~
- g. Proposed date for trial schedule: To be determined pending a decision on defendant's anticipated dispositive motion.
  - i. A jury trial has been requested
  - ii. Probable length of trial is estimated to be less than five days.
  - iii. When case is ready for trial: To be determined pending a decision on defendant's anticipated dispositive motion.

## 3. Consent to Proceed before a Magistrate Judgment: No.

## 4. Status of Settlement Discussions:

- a. Whether settlement discussions have occurred: *yes* *f*

*(NEXT PTC 03/07/08 @ 10:00AM)*

b. Status of any settlement discussions: N/A

c. Whether parties request a settlement conference: No.

- A status conference shall be held on March 7, 2008  
at 10:00 am.

SV ORDERED



USPJ

9/6/07